

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16319 of 2006

Date : 3-8-2006

Between:

Balagani Radhamma w/o.Venkateswara Rao
.. Petitioner

And

1. The State Election Commissioner,
Hyderabad.
2. The District Election Authority-cum-
District Collector, Machilipatnam,
Krishna District.
3. The Returning Officer-cum-Mandal
Parishad Development Officer,
Mandal Parishad, Reddigudem,
Krishna District.
4. Balagani Lakshmi w/o.B.Mohana Rao,
aged about 33 years, occ: Agriculture,
R/o.Kudapa village, Reddigudem Mandal,
Krishna District. ..

Respondents

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ORDER:

The Writ Petition is filed for a Writ of Mandamus to declare the action of the 3rd respondent in not recounting the votes in spite of very meager margin of votes between the petitioner and the 4th respondent as arbitrary, illegal and consequently to direct the respondents to recount the votes in respect of Z.P.T.C., Reddigudem in the interest of justice.

It is stated that the counting process was started after election on 4-7-2006. Schedule and other factual details also had been narrated in paras 2, 3, 4 and 5 of the affidavit filed in support of the Writ Petition. In the light of the facts narrated, this Court is of the considered opinion that liberty can be given to the petitioner to file Election Petition if the petitioner is so advised. The Writ Petition is accordingly disposed of. No order as to costs.

Justice P.S.

Narayana

Date : 3-8-2006

AM